

REMARKS

Claims 1-10 are pending in the present application. No additional claims fee is believed to be due.

Rejection Under 35 USC § 103(a) Over WO 99/22684

Claim 1-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 99/22684.

The Applicants respectfully traverse the rejection because the reference does not teach or suggest all of Applicants' claim limitations and thus, does not establish a *prima facie* case of obviousness.

The Office Action states that WO 99/22684 discloses absorbent articles that absorb body exudates, that comprises a liquid pervious topsheet and a liquid impervious backsheet which is joined to the topsheet. The Office Action states that WO 99/22684 discloses that the topsheet is disposed at the body surface and that the backsheet is disposed at the garment surface. The Office Action states that WO 99/22684 discloses that the absorbent core is located between the topsheet and the backsheet. The Office Action contends that WO 99/22684 teaches that the topsheet of the absorbent article has a skin care composition disposed thereon. The Office action states that reference does not teach a skin care composition of greater basis weight than the preferential acquistion zone.

The Office Action states that absent a showing the criticality in the skin care composition having a greater basis weight than the prefential acquisition zone, there are no unexpected results. The Office Action claims that the prior art provides the same results. The Office Action states that the expected result would be an absorbent article comprising a topsheet, a backsheet and absorbent core therebetween, an acquisition zone and skin care composition disposed thereon. The Office Action states that WO 99/22684 teaches that the configuration and construction of the absorbent core may have varying acquisition zones, and that the size and the absorbent capacity of the absorbent core may be varied to accommodate different uses such as diapers and sanitary napkins to accommodate the wearer.

The Office Action states that it would have been within the skill of the ordinary practitioner at the time the invention was made to use the teachings of the WO 99/22684 reference, with the expectation of achieving an absorbent article comprising a skin care composition which is known in the art for absorbing body exudates as instantly claimed. The Office Action further states that it would have been obvious to claim an absorbent article,

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comprising a topsheet, a backsheet and an absorbent core located therebetween, including a skin care composition disposed on the topsheet of the absorbent article.

If one looks to the Applicants' invention and the reference as whole, it is submitted that WO 99/12530 fails to establish a *prima facie* case of obviousness, because the reference does not teach or suggest each and every element within Applicants' Claim 1.

The present invention teaches an absorbent article that is provided with **a skin care composition**. The absorbent article of the present invention comprises a preferential acquisition zone and a skin care zone, the skin care zone is provided with the skin care composition of a greater basis weight than the preferential acquisition zone. WO 99/22684 does not teach the application of differing basis weights of a skin care composition to various zones of the absorbent article. WO 99/22684 teaches applying two different skin care formulations on two regions of the same web material. (See Claim 1 in WO 99/22684) The present invention applies one skin care formulation at different basis weights on two different zones of an absorbent article. WO 99/22684 fails to teach or suggest the application of differing basis weights of a skin care composition to various zones of the absorbent article. Thus, WO 99/22684 fails to teach or suggest every element of the present invention and hence, does not establish a *prima facie* case of obviousness. Therefore, WO 99/22684 does not render independent Claim 1 unpatentable under 35 U.S.C. § 103.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 103. Early and favorable action in the case is respectfully requested. Applicants have made an earnest effort to distinguish the invention as now claimed from the applied references. In view of the foregoing, Applicants respectfully request reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-10.

Respectfully submitted,

By Bridget D. Ammons
Bridget D. Ammons
Attorney for Applicant(s)
Registration No. 52,555
(513) 634-1873

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